

WHEN RECORDED RETURN TO:
Maricopa County Highway Dept.
Real Estate Division

AGREEMENT (XG)

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE COUNTY OF MARICOPA

A.G. CONTRACT NO. KR87-3336

87 685798

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the COUNTY OF MARICOPA, hereinafter called "COUNTY",

WHEREAS, the State is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE:

WHEREAS, the COUNTY is empowered by ARS 11-251 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said County:

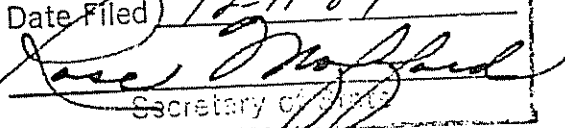
WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the County. This work shall include the installation of new traffic signals at the following location:

US 60 (Grand Avenue) & Meeker Boulevard
MP 141.48 Sun City West
T.O.S. Internal Admin #875-7

RECORDED IN OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA	
NOV 12 '87 - 11 00	
KEITH POLETIS, County Recorder	
FEE <u>10</u> PGS <u>6</u>	A.V.M.

MANICORA COUNTY
HIGHEST RECL.
DATE 11/17/87

1987 NOV 17 PM 1:03

NO.	<u>12606</u>
FILED WITH SECRETARY OF STATE	
Date Filed	<u>12-11-87</u>
	
Secretary of State	

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall furnish all materials and equipment necessary to complete the installation of the traffic signals and furnish personnel for inspection of the installation process.

2. The COUNTY shall install or have installed all the materials and apparatus in a good workmanlike manner, and in accordance with the latest revisions of the Arizona Department of Transportation Traffic Signal and Highway Lighting Systems Standard Drawings and General Specifications for Traffic Signal and Highway Lighting Systems.

3. The STATE shall deliver all furnished materials and apparatus to the County Warehouse facility at 3325 West Hilton and shall pick up all defective or damaged materials and all unused materials at the County Warehouse upon completion of the work.

4. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

5. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

6. This Agreement shall be filed with the Secretary of State and shall become effective upon its filing.

7. In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. §12-1518.

8. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the County is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

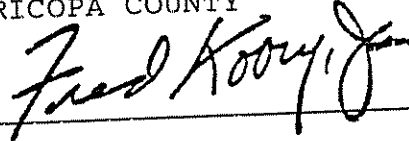

State Engineer

DATE:

Nov. 27 1987

MARICOPA COUNTY

BY:



TITLE:

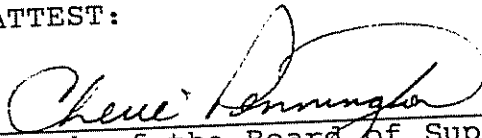
CHAIRMAN

Chairman, Board of Supervisors

DATE:

NOV 02 1987

ATTEST:


Clerk of the Board of Supervisors

DATE:

11-2-87


Internal T.O.S.
Admin #875-7

US 60 (GRAND AVENUE) & Meeker Boulevard
MP 141.48 - Sun City West

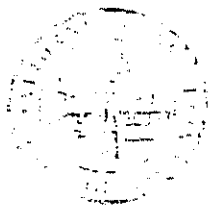
MARICOPA COUNTY

RESOLUTION

BE IT RESOLVED on this 2nd day of October, 1987, that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interests of the State of Arizona that the DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into a Construction Intergovernmental Agreement with MARICOPA COUNTY for the installation of traffic signals justified by a Traffic Engineering study, and a Letter Addendum to the Maintenance Intergovernmental Agreement for the operation and maintenance of traffic signals and/or highway lighting. Essentially, the Agreement establishes that the State furnish all materials and equipment necessary to complete the installation of traffic signals and that Maricopa County shall install, or have installed, the materials and equipment. Therefore, authorization is thereby given to draft said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.



CHARLES L. MILLER, Director
ARIZONA DEPARTMENT OF TRANSPORTATION



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR 87-3336, is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 3 day of December, 1987.

ROBERT K. CORBIN
Attorney General

Joe Acuna
Assistant Attorney General
Transportation Division

**AGENDA INFORMATION FORM
MARICOPA COUNTY BOARD OF SUPERVISORS**

EXHIBIT "A"

Please return an executed copy to
the Clerk of the Board of Supervisors.

DEPARTMENT: HIGHWAY - 6400

DIVISION: TRAFFIC/PUBLIC WORKS

CONTROL NUMBER: 97-88

1. BRIEF DESCRIPTION OF PROPOSAL AND REQUESTED BOARD ACTION:

Pursuant to an engineering study by Arizona Department of Transportation, it is recommended that traffic safety be maintained by upgrading the traffic controls from a stop sign to a traffic signal at U.S. 60 and Meeker Boulevard. The County's responsibility on this project is to provide labor and equipment to install above-ground materials furnished by the State.

It is also recommended that the Letter Addendum (Exhibit "C") be added to the existing list of intersections stating that Arizona Department of Transportation will maintain the traffic signals and roadway lighting with Maricopa County paying for the monthly electrical costs.

Upon approval and execution by the Board of Supervisors, please return both originals to Mr. Eric Hoffman, Real Estate Supervisor, Highway Department.

2. CONTINUED FROM MEETING OF _____ DISCUSSED IN POLICY ON _____	3. THIS DEPARTMENT WILL CAUSE PUBLICATION CLERK OF THE BOARD TO CAUSE PUBLICATION
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4. **MOTION:** It is moved that the Maricopa County Board of Supervisors... approve and execute the Construction Agreement and Letter Addendum with the Arizona Department of Transportation for a new traffic signal at U.S. 60 and Meeker Boulevard. Estimated installation costs will be \$10,000.

5. **FINANCIAL:** Budgeted Contingency Budget Amendment Transfer Grant or other

\$ _____	_____	_____	_____
Total Cost	Fund	Financial Officer	Date

6. PERSONNEL: _____ Personnel Director _____ Date _____	7. OTHER: _____ (Signature) _____ Date _____
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8. **LEGAL:** Approved as to form and within the powers and authority granted under the laws of the State of Arizona to the Maricopa County Board of Supervisors.
Clerk of the Board of Supervisors

John W. Plawski 10-14-87
Deputy County Attorney Date

9. **DEPARTMENT:** Highway - 6400 JEO/jw

10. **APPROVED FOR AGENDA:**

Eric Hoffman 10-13-87
Action Recommended by Date

R. C. [Signature] 10-15-87
Approving Official Date

11. **BOARD OF SUPERVISORS:** Action taken:
Approved Disapproved Deleted
Continued to: _____
(Date & type of meeting)

12. **RECOMMENDATION OF COUNTY MANAGER:**
Approve Disapprove
Comments: _____

Eric Hoffman 11-2-87
Clerk of the Board Date

County Manager _____ Date _____

EXHIBIT "B"
APPROVAL OF THE COUNTY ATTORNEY

I hereby state that I have reviewed the proposed Construction Intergovernmental Agreement and Letter Addendum between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION, and the COUNTY OF MARICOPA, and declare the Agreement and Addendum to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 14th day of October, 1987.

MARICOPA COUNTY

BY:

John W. Paulsen
County Attorney

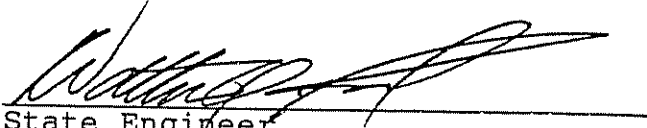
EXHIBIT "C"
LETTER ADDENDUM

In accordance with paragraph 6 of the Agreement AG #77-568, Secretary of State #3844 dated September 21, 1977 for the operation and maintenance of traffic signals and/or highway lighting between the STATE OF ARIZONA and the COUNTY OF MARICOPA, it is agreed by both parties that the following intersection be added to the existing list of intesections to be operated and maintained as set forth in said Agreement:

US 60 (Grand Avenue) & Meeker Boulevard
MP 141.48 - Sun City West

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:


State Engineer

DATE:

11-24-87

MARICOPA COUNTY

BY:



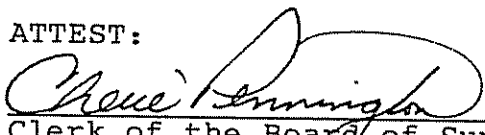
TITLE:

CHAIRMAN

DATE:

NOV 02 1987

ATTEST:


Clerk of the Board of Supervisors